

FROM

(WED) 09. 22' 99 11:30 LT. 11:32/NO. 3561893253 P 4

ATTORNEY'S DOCKET NO. 001301.00077
DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TREATMENT OF OBESITY BY BILATERAL VAGUS NERVE STIMULATION

the specification of which is attached hereto unless the following box is checked:

[] was filed on July 1, 1999 as United States Application Number or PCT International Application Number 09/346,396 and was amended on _____ (if applicable).

I hereby authorize our attorneys to insert the serial number assigned to this application.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 USC §119			
APPLICATION NO.	COUNTRY	(DAY/MONTH/YEAR FILED)	PRIORITY NOT CLAIMED
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(c) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)	
APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under 35 U.S.C. §120 of any United States application, or §365(e) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

BLANK ROME / WASH
Sep. 27, 1999 7:07AM

Fax:2024636915

Jun 27 '03 10:34 P.03

No. 0121 P. 3/5

FROM

(WED) 09. 22' 99 11:32 A.T. 11:32/NO. 3561893253 P 5

Declaration for Patent Application (Continued)

Atty. Dkt. No. 001301.00077

PRIOR U.S./PCT INTERNATIONAL APPLICATION(S) DESIGNATED FOR BENEFIT UNDER 37 U.S.C. §120		
APPLICATION NO.	FILING DATE	STATUS - PATENTED, PENDING, ABANDONED

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Donald R. Gross, Reg. No. 22,470; Herbert Cohen, Reg. No. 25,109; Victor M. Wigman, Reg. No. 25,201; George C. Myers, Jr., 27,040; Michael C. Greenbaum, Reg. No. 28,419; Michael D. White, Reg. No. 32,795; Karl O. Neider, Reg. No. 39,313; David J. Edmondson, Reg. No. 35,126; Denise C. Lane, Reg. No. 42,780 and Carl Schankowitch, Reg. No. 29,211.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Additional Inventors on next page. (check box if appropriate)